IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 8824 OF 2004

Shree Nirmal Commercial Ltd. ..Petitioner

versus

Municipal Corporation of

Greater Bombay ..Respondents

Ms. Indira Sajnane i/b. M/s. S. M. Associates for the Petitioner.

Mr. A. Y. Sakhare with Ms. V. K. Khatu for the Municipal Corporation for Greater Bombay.

CORAM : D. B. BHOSALE, J.

DATE : 14TH DECEMBER,2004.

P.C. :

. Mr. Sakhare, learned counsel for the Corporation, on instructions, submits that the Corporation will work out the amount of interest on a sum of Rs.1,01,41,636/= as per Second Proviso to Sub Section 5 of Section 217 of the Mumbai Municipal Corporation Act, 1888 and after deducting the same from a sum of Rs.3,47,03,805/= inform to the petitioner a sum they are liable to deposit under Section 217 within two weeks from today. His

statement is accepted.

. Mr. Indira Sajnane, learned counsel for the petitioner submits that the petitioner will deposit the amount as demanded by the Corporation within four weeks therefrom. On petitioner depositing the sum, the Additional Chief Judge of the Small Causes Court to proceed with the hearing of the appeal. This petition is disposed of.

(D. B. BHOSALE, J.)